

“Survivors” SKS FAQ

December 31, 2003

©2003 L. E. Schwartz. All rights reserved.

[Introduction:](#).....Error: Reference source not found
[General SKS Questions:](#).....Error: Reference source not found
[SKS Carbine Safely Questions:](#).....Error: Reference source not found
[Laws, Bans and “Evil Features” Questions:](#).....Error: Reference source not found
[1989 Military Style Semiautomatic Rifle Ban Questions:](#).....Error: Reference source not found
[1994 Chinese Ban Questions:](#).....Error: Reference source not found
[1994 Assault Weapons Ban Questions:](#).....Error: Reference source not found
[Modification Questions:](#).....Error: Reference source not found
[“10-or-less” Questions:](#).....Error: Reference source not found
[C&R Questions:](#).....Error: Reference source not found

Introduction:

Background: This all began in mid-2002 when my son suggested that a great father/son activity would be deer hunting. I had never had much interest in either firearms or hunting, so I asked my father (who became an avid hunter and firearm collector later in life) what might be an appropriate rifle: After I laid down my requirements as “a cheap and reliable brush gun”, he responded without hesitation: “Just get an SKS.” And so started my journey into the world of the SKS Carbine and the arcane world of firearms regulation.

On the plus side the SKS has a lot going for it: A short 20 inches, fast handling, and easy to point. It is rock solid reliable—idiot proof. Cheap to buy—usually well under \$200. Cheap to shoot with Russian/military surplus ammunition—so you get plenty of range time. And, it has enough accessories to be more than a little of fun to fool around with.

On the minus side both the SKS and its' cousin the Kalashnikov are the poster children of the anti-gun folks and for many the same reasons: Cheap to own—low cost firearms encourage firearm ownership by lowering the cost barriers...“you own how many?” Cheap to shoot—low cost mil-surplus ammunition also lowers the barriers to ownership and use...“you’re going to the range again?” Accessories—encourage experimentation...“you built that thing yourself?” Add to that the popular myth that the 7.62x39mm cartridge is not suitable for hunting and the fact that many other gun owners will look down their nose at the SKS, and it's no wonder the SKS is treated like an outcast. This means there are the numerous laws aimed squarely at the SKS.

L. E. Schwartz
Coon Rapids, MN
September 2003

Copyright: This FAQ is copyrighted material. Copies may be made for any non-commercial purpose, provided that FAQ is unmodified and complete and that the copyright notice remains intact.

Additions & Corrections: If there is additional material that you would like included in this FAQ or you feel something warrants correction, contact the author via the following email address: SKSFAQ@VICTORINC.COM

Acknowledgments: This FAQ relies on the research material on the World Wide Web which numerous individuals put hard work. However, the FAQ would not be possible without the efforts of three particular individuals:

- • “SKS Dave” the creator of the Simonov.net web site. Without this preeminent Internet resource, I would have been lost at the beginning.
- • “Survivor Dean” the creator of Survivor's SKS Boards web site. Without the discussions on this board I would still be clueless. Thanks to all those who contributed to them.
- • “1952Sniper” one of the moderators of Survivor's SKS Boards. Most of the C&R Section is a verbatim inclusion of his posts.

Disclaimer: I am not a lawyer and the information in this FAQ does not represent any attempt on my part to provide legal advice. The information is based on my personal research. Firearms law is complicated and constantly changing, so the accuracy of this FAQ cannot be guaranteed in any way. Finally, state and local firearms laws also need to be complied with, and this FAQ does not address these.

Before acting on any information in this FAQ, consult the ATF (either directly, or through their publications) and your state and local regulators.

[Back to the top](#)

General SKS Questions:

What does SKS stand for? Simonov System Self-loading Carbine. The SKS was designed in the waning days of “Great Patriotic War” (known to the rest of us as World War II) by Russian designer Sergei Simonov. It was the first officially adopted arm chambered for the then new 7.62x39mm “intermediate” cartridge.

Why do you keep calling the SKS a “carbine”? It is generally accepted that a “carbine” is a rifle with a barrel less than 22” to 24”. The SKS was offered with lengths of 20” (standard model) and 16” (the so-called “Paratrooper” model). Some Yugoslavian models are equipped with grenade launchers that yields an overall barrel length of approximately 24”. Thus, persons refer to these as “SKS Rifles”.

Why are there so many SKS Carbines around? In the 1950's, Soviet technical advisors helped various communist governments to set up factories producing the SKS carbine. The first Chinese SKS carbines were identical to their Soviet counterparts, and were adopted by the Peoples Republic of China as the “Type 56 carbine”. The Chinese have manufactured several varieties of the original SKS, including models, which use the detachable AK magazine. As the

availability of the AK-47 improved, the SKS was relegated to secondary status. However, stockpiles of millions of SKS carbines were maintained for militias and for export to the third world countries as “military aid”. Starting in the late 1980s SKS Carbines began appearing in large numbers in the United States.

Is the SKS a good “brush gun”? If “brush gun” you mean “whitetail deer / close range”, then the answer is “yes”.

Why do so many hunters say The SKS is not a good “brush gun”? Most of the hunters I’ve run into say that the SKS carbine is a poor rifle for whitetail deer. I think this is mainly because they are only familiar with Russian military surplus variations of the 7.62x39mm cartridge used by the SKS Carbine. Such cartridges were not designed for stopping deer. However, if you check out CorBon’s 7.62x39mm +P hunting load, you’ll see that the SKS can be as good as a “brush gun” as a 30-30. Also, note this quote from the reference *Cartridges of the World* by Frank C. Barnes:

“While previous military cartridges generally made suitable hunting rounds with proper bullets, many writers condemn the 7.62x39 out of hand as being unsuited for hunting anything beyond small game... However, best 125- and 150-grain spitzer loads in this cartridge typically match best 30-30 FP or RN load energy at 100 yards, and at 200 yards, there is no comparison — this little round bests the 30-30 by 20 percent.”

Now for the real question: ‘Do you view the 30-30 as a good brush gun?’

Where can I find a manuals and books about the SKS Carbine? There are several books and manuals written about the SKS Carbine:

[*The SKS Carbine*](#), Steve Kehaya and Joe Poyer

[*The Official SKS Manual*](#), translated by Maj. James F. Gebhardt

[*The SKS—Type 45 Carbines*](#), Duncan Long (out of print)

[*SKS Rifle—Training circular*](#), U.S. Dept. of the Army

[*SKS Rifle—Training circular*](#), U.S. Dept. of the Army (Alt. Link)

The SKS Rifle—A Practical User’s Guide, Ralph L. Howell

Where on the World Wide Web can I get more information on the SKS?

[Simonov.net](#) web site—is a preeminent Internet resource for information on the SKS carbine. [Survivor's SKS Boards](#)—is the preeminent Internet discussion board.

Other links for historical and technical info:

<http://www.surplusrifle.com/sks/index.asp>

<http://www.carbinesforcollectors.com/sks.htm>

<http://www.goldenloki.com/guns/sks/trig1.htm>

<http://www.hanned.com/techsks.html>

<http://www.yooperj.com/SKS.htm>

Warning: The Simonov.net web site is no longer actively maintained, and the information is somewhat dated. In addition, some of the legal information is

just plain wrong. Addressing these deficiencies is a primary motivation behind this FAQ.

How many different variations of the SKS Carbine are there? SKS Carbines were manufactured in a large number of countries in Eastern Europe and Asia. There may be subtle variations between and within a given countries' SKS Carbines. For the purposes of this FAQ, we will categorize them into three broad categories:

1. 1. Standard fixed magazine SKS Carbines—Built by many nations including: Russia, China, Romania, etc. Also included here is the Albanian (a fixed magazine SKS Carbine variation, which can be recognized by its' unusual handguard) and Chinese 'Paratrooper' (a shortened variation of the standard fixed SKS Carbine, which was produced for commercial export). Most of the information presented herein applies directly to any standard fixed magazine SKS Carbines. In general European manufactured SKS Carbines are on the ATF's Curios and Relics list.
2. 2. Yugoslavian Type 59/66 Rifles—A fixed magazine SKS Carbine variation, which can be recognized by its' grenade launcher and tritium night sights. This variation is given special consideration herein due to the additional military features. The Type 59/66A1 is with a grenade launcher and flip-up night sights. The Type 59/66 is also equipped with a grenade launcher, but does not have the flip-up night sights. Note the standard Yugoslavian Type 59 has neither of these features. All of these models are on the ATF's Curios and Relics list.
3. 3. Chinese SKS-D & SKS-M—These are detachable AK-style magazine variations of the SKS Carbine, produced for commercial export. These variations are given special consideration herein due to the detachable AK47-style magazine. The SKS-D was the "pre-ban" version that has a standard length barrel, a bayonet lug and attached spike bayonet, and a standard stock (with a steel filler plate in front of the magazine well). The SKS-M is the "post-ban" version with a shortened 'Paratrooper' barrel and typically have no bayonet lug. The SKS-M was equipped with either a thumbhole style stock or a fancy Monte Carlo style stock. These will typically have either "SKS Sporter" or "SKS M" stamped on the side of the receiver, whereas SKS-Ds are said to have no specific markings on the receiver.

[Yoooper John's SKS web page](#) has a lot of good information to help identify your SKS Carbine. The site includes a large number of very nice photos.

I give up, how do I load an SKS? Most SKS Carbines have fixed (non-removable magazines). Ammunition is loaded from the top of the receiver into the magazine. Loose cartridges can be inserted individually, or ten rounds can be loaded quickly by the use of "stripper clips". The consensus seems to be that SKS Carbines can be reloaded just as fast using stripper clips as one can change a detachable magazine on other rifles.

Can I put a scope on an SKS? The SKS was never designed with scopes in mind. The most popular solution to this problem is a "receiver cover mount". These mounts replace the factory receiver cover and allow a scope to be mounted. For more information, see the ["Mounts" section at the Simonov.net web site](#). Keep in mind that because the SKS Carbine ejects spent casing out the top of the rifle, you will either need to use a "compact scope" or "shell deflector" so as not to damage the scope.

Longer scopes interfere with loading the rifle using “stripper clips”. The clear solution to this problem is to add a detachable magazine to an SKS Carbine. However, adding a detachable magazine to an SKS Carbine usually results in violations of both Federal and State laws.

Warning: Do not use detachable magazines with your SKS Carbine unless you are sure that it is legal for you to do so.

SKS Carbine Safely Questions:

Aren't SKS Carbines dangerous “junk guns”? SKS Carbines are not new firearms—they are military surplus. Many have been in storage for years before being sold in the US—and were covered in cosmoline in order to preserve them. In addition, the basic design is approximately sixty years old, and the rifles themselves were manufactured decades ago. This means SKS Carbines lack some of the “safety features” found on some modern consumer hunting rifles.

You should not attempt to fire an SKS Carbine that has not been thoroughly disassembled, cleaned, and checked for proper operation. Many dealers neglect to inform customers of this important fact. Shame on them for not looking out after their customers!

Haven't all SKS Carbines been recalled? Navy Arms issued a [recall of Chinese-made SKS Carbines](#). It is unclear how many rifles are affected by the manufacturing defect mentioned—just a few from Navy Arms or many rifles from a variety of importers.

Always check any semi-automatic firearm for [proper operation](#).

You say the SKS Carbine is reliable, then why do some people say they are unreliable and dangerous? The most serious problem an SKS Carbine owner can encounter is a “slam-fire”. A “slam-fire” is a detonation of a round as it is chambered, without pulling the trigger. The rifle begins firing and will only stop firing when it runs out of ammo. Fortunately it is also a rare situation. Rare or not, it is a very dangerous situation, so it's especially important that you control the rifle's muzzle while chambering the first round.

Some SKS Carbines experience a problem known as “Stovepiping”. “Stovepiping” occurs when a round either doesn't feed correctly or eject properly. When the bolt closes, the round gets caught. The round sticks up sort of like a stovepipe (which presumably, is why they call it that). Typically this is caused by a worn or corroded gas system (gas tube, gas piston, gas port, operating rod, etc.) The Yugoslavian Type 59/66 has a more complicated gas system due to its grenade launcher. The Yugoslavian Type 59/66 seems more susceptible to this problem (as well as having a reputation for reliability problems in the gas system).

SKS Carbines are not new firearms, many have been in storage for years before being sold in the US—and were covered in cosmoline in order to preserve them. Do not attempt to fire an SKS Carbine that has not been thoroughly disassembled, cleaned, and checked for proper operation. Once you've done so, you will find that the SKS Carbine is extremely rugged and reliable. You can expect very few problems with an SKS Carbine.

What are the reasons for “slam-fires”, and how can they be prevented?

There are three main causes of “slam-fires”:

1. One reason SKS is susceptible to “slam-fires” because of the design of the bolt. They generally use a [free-floating firing pin](#). When the bolt closes on a new round, the firing pin free-floats inside the bolt and forward inertia causes it to contact the primer. The firing pin usually leaves a small indentation on the primer just from the bolt closing. This is normal. Because of this, you need to ensure you are using mil-spec ammo in your SKS. Some US-Made [7.62x39 ammunition](#) uses very soft primers that may detonate just from the firing pin’s inertial contact. Hence, just closing the bolt could fire the weapon—since it’s a semi-automatic, it would automatically cycle the rifle, chamber a new round, and potentially set that off too. This typically causes “doubles” or “triples” when closing the bolt. However, it could repeat this until the magazine is empty. To prevent this type of “slam-fire”, it is necessary to [clean the firing pin](#).

Other rifles such as the M-14 and M-1 Garand also use free-floating firing pins. These rifles are also susceptible to “slam-fires” from soft primers.

2. Even if you are using mil-spec primers, it is possible for the FP to “stick” in the forward position. Thus, every time the bolt closes it will set off the new round. This sort of “slam-fire” typically empties the entire magazine. To prevent this type of “slam-fire”, it is necessary to thoroughly [clean the firing pin](#).

This is even more dangerous than a “slam-fire” from soft primers, because it is possible for the round to go off before it is fully seated in the chamber and before the bolt is fully locked. This could lead to an out-of-battery explosion.

3. Sludge and grime that keeps the sear from “snapping back” into position, can also “slam-fires”. Therefore, it is also important to keep the sear track clean. In addition, you will want to avoid weakening the spring on the sear. To prevent this type of “slam-fire”, it is necessary to thoroughly [clean the fire control group](#).

What should do to check for proper operation when firing my SKS

Carbine the first time? When firing any semiautomatic firearm for the first time, always follow these safety procedures:

Load two rounds into the magazine, and in a stable shooting position, with the muzzle pointed down range, pull the charging handle (or slide) back and let it fly forward to chamber the first round. Do not ease the carrier or the slide into battery. If the weapon fires, cease firing immediately. If no firing occurs, aim the weapon down range and pull the trigger. If both rounds fire with one pull of the trigger, cease firing immediately.

These same procedures should be followed anytime you are unsure if your ammunition uses “mil-spec” primers.

Who makes the “mil-spec” ammunition I should use in my SKS Carbine?

At the present time, no US-based company makes “mil-spec” 7.62x39mm ammunition. However, a number of companies from the area of the old Soviet-bloc still manufacture “mil-spec” 7.62x39mm ammunition. Typically, these companies don’t bother to list their primer’s hardness in their literature. This means you can’t just check to be sure which primers are hard

enough. 7.62x39mm ammunition from the following manufactures is generally considered to be “mil-spec”:

- • [Barnaul](#) (cowboy on box)
- • [Brown Bear](#) ¹
- • Cheetah (made on old Norinco equipment in Zimbabwe)
- • Military Surplus (corrosive)
- • Norinco (corrosive; no longer imported)
- • [Sellier & Bellot](#)
- • [Silver Bear](#) ¹
- • Ulyanovsk (white & blue box)
- • [Vympel](#) (new Russian made)
- • [Wolf](#) (considered to have the hardest primers)

¹ Indicates that the company responded to an email indicating their 7.62x39mm cartridges used “mil-spec” primers.

This author shoots Wolf and Cheetah brands exclusively.

Isn't all Berdan primed ammunition “mil-spec”? While it is generally assumed that Berdan primed ammunition is “harder”. This is not necessarily the case—both Berdan and Boxer primers come are available in “hard” and “soft” varieties. Boxer primers (invented by Col. Edward Boxer, a British Army officer) are generally used in US-made ammunition—these are generally “softer”. However, at least one US manufacturer, CCI, makes “mil-spec” Boxer primers. Unfortunately, CCI doesn't manufacture 7.62x39mm ammunition. Berdan primers (invented by Col. Hiram Berdan, an American US Army Ordnance officer) are generally used in Europe.

For more information on primers, see the following links:

[Aero Ballistics Online—Powder & Primers Page](#)
[Canadian National Firearms Association—Primer Usage Chart](#)
[CCI Ammunition—Primer Usage Chart](#)

What about “corrosive” ammunition? The some primers contain mercury or other corrosive compounds. Long-term exposure to these compounds can result in damage to you rifle. When shooting ammunition you ***suspect*** might be corrosive, use ammonia to neutralize the salts before cleaning—a patch dipped in 50/50 ammonia/water and run through the barrel usually does the trick. However, many people just use Windex®. In addition, it is a good idea to clean the operating rod, gas piston, and gas tube. It just takes a minute, but will save your rifle! Follow up this simple procedure with a normal cleaning. Don't put it off until the next day!

How can I clean the firing pin? Cosmoline inside the bolt is the number one cause of sticky firing pins leading to “slam-fires”. So it is imperative that each new SKS owner thoroughly cleans the bolt. Soak it in cleaning solution for several days, and then hose it with brake cleaner. If needed, you can boil it in water. If you can't get it clean by one of these other methods, you will need to disassemble the bolt.

The brake parts cleaner you're looking for will be in the automotive section of most discount stores. Many companies make it, but all call it "brake parts cleaner". It's in an aerosol can with a straw taped to the side of it, and will usually have a picture of a brake rotor on the can.

You will know the firing pin is clean when you can shake the bolt back and forth and the firing pin easily rattles inside it. You want to hear metal-on-metal. If the firing pin rattles but sounds like it's still got dirt or cosmoline inside it, clean it some more.

Warning: It is essential to make sure the firing pin moves freely in the bolt.

My SKS Carbine has a spring-loaded firing pin, what gives? They generally use a free-floating firing pin. However, early Russian SKS Carbines did have a spring-loaded firing pin. In addition, Trident Corporation of Commerce, CA used to sell aftermarket "Spring Return Firing Pins" for the SKS Carbine. However, it appears that they are no longer in business.

Multiple Discharge Problems Attributable to Poor Cleaning: In addition to "slam-fires" caused by a seized or dirty firing pin, many believe that the design of the SKS trigger group can cause unintended "repeats" (even complete magazine dumps) when the trigger mechanism is not cleaned properly.

In any semi-automatic firearm, one of the most essential parts of the firing, ejection, reloading cycle is the cocking of the hammer for the next shot. The SKS uses a "sliding" sear, which has to "snap back" in time to catch the hammer. However, if the trigger group is full of cosmoline, or dirt, powder residue, or other "gunk" the sear can be sluggish getting back to its original position in time to catch the hammer. If this happens, the hammer will not be caught by the sear and will follow the bolt forward as it chambers the next round. This can cause doubles, triples or even full magazine dumps—an unsafe situation indeed. While not technically the same thing as a "slam-fire", it is a potentially dangerous situation and for this reason proper cleaning of the SKS trigger group is a must.

When you remove the trigger group, make sure that the area around the sear and hammer is completely free of all grime and gunk. Also, do not use heavy grease or excessive oil in the sear/hammer area. Too much lubricant can actually attract dirt and grime. A light application of CLP or other suitable free flowing light gun oil will provide suitable lubrication.

How do I disassemble my SKS Carbine? There are several good web sites that have photos showing disassembly and reassembly. The [Surplus Rifle SKS page](#) contains links to several versions—including a video.

[Back to the top](#)

Laws, Bans and "Evil Features" Questions:

I've heard the SKS Carbine is banned. Is it legal to own one? Yes. However there are at least five separate "bans" as well as a number of other rules, affecting the SKS Carbine and numerous other semi-automatic rifles. To be legal an SKS Carbine must conform to all of them.

- 1) 1934 National Firearms Act (NFA)—Prohibits rifle barrels shorter than 16 inches (as measured from the bolt face to the muzzle) and fully

automatic firearms without paying a tax. Rather than face the issues related to banning such firearms, the Federal Government found it was easier to simply tax them out of existence.

- 2) 2) 1968 Gun Control Act (GCA)—Very little of it deals with semiautomatic rifles specifically. However, it contains a provision, Title 18 USC § 925(d) (3), where Congress delegates to the Secretary of the Treasury (i.e: the ATF) the power to restrict firearms considered “non-sporting”.
- 3) 3) Military Style Semiautomatic Rifle Import Ban—On July 6, 1989, the Secretary of the Treasury uses his authority under Title 18 USC § 925(d) (3). He determined that various military style semiautomatic rifles were “non-sporting” and banned from importation. This includes “SKS style rifle” with certain features.
- 4) 4) “Chinese Ban”—On May 26, 1994, President Clinton banned the importation of “munitions” from PRC. “Munitions” are defined as all firearms except “non-combat” shotguns and black powder guns, and all ammunition and components except for shotgun shells. This isn't really a ban affecting the owners of SKS Carbines, but does affect importers.
- 5) 5) Semiautomatic Assault Weapon Ban—The 1994 Crime Bill bans ‘semiautomatic assault weapon’ and large capacity magazines. This affects only rifles with detachable magazines.

What are the “evil features” that would make an SKS carbine illegal?

There is much confusion that stems from the fact that there is more than one “ban” and hence more than one “evil features list”: One from July 6, 1989 (which was later modified in 1998) and the 1994 Assault Weapon Ban. The 1989 Ban applies to imported rifles. An imported rifle is any rifle that contains more than [ten imported parts](#). The 1994 AWB applies to US-made rifles as well. When folks talk about “evil features” they could mean either.

To help eliminate some of this confusion, this FAQ will refer to features prohibited by the 1989 ban as “restricted features”, and features prohibited by the 1994 AWB as “evil features”.

ATF doesn't really enforce all these rules, do they? It is generally *believed* that ATF does not aggressively pursue individuals who may possess a semiautomatic assault weapon. However, in recent years there has been great clamor for ATF to enforce existing gun laws. Given the large fines and potentially serious jail time that these violations carry, it would be wise to stay on the correct side of the law.

Sometimes, however, criminal cases involve enhanced sentences and additional charges for defendants because of weapons violations. Unless your absolutely sure that you will never be involved in an auto accident while transporting your SKS, that you or a family member will never be involved in a domestic disturbance where the police are called, and never have yourself or a family member end up in some way on the “wrong end of the law”, it's better to keep your SKS scrupulously legal. In the mean time, you can always pick up an AK—there are many inexpensive “US-made” ones available—maybe not the same as your SKS, but fun and legal nonetheless.

I don't care about any of this; my SKS Carbine is “Pre-Ban”. Generally, a rifle that was approved for import and sale continues to be legal. However when you modify an existing rifle, ATF considers you to be assembling a new

rifle for legal purposes. So “pre-ban” only applies to the grandfather of existing firearms, not the modification of existing firearms.

There is also much confusion that stems from the fact that there is more than one “ban” that applies to the SKS: One from 1989 (which was later modified in 1998) and the 1994 AW Ban. The 1989 Ban applies to imported (over [10 foreign parts](#)) rifles. The AW Ban applies to US-made rifles as well. When folks talk about “pre-ban” they can mean either. “Pre-ban” typically applies to the “grandfather” of existing firearms. When you modify a firearm, it must to conform to *current law*—that's why “pre-ban” doesn't mean too much.

Don't they have to prove my rifle isn't “pre-ban” before I can get into trouble? Some folks assert that if they are ever questioned about their rifle being pre-ban, all they have to say “prove that it's not pre-ban.” GonzoSKS1 (a lawyer and frequent contributor to the [Survivor's SKS Boards](#)) points out:

If you get tagged with too many ‘restricted features’, you're holding a gun that is facially designated as ‘banned’. That means the government has its prima facia case already, and they have met their burden of proof. You have an affirmative defense if you can prove its pre-ban, but *you* bear that burden.

Note: This is why it is recommended to have proof of “pre-ban” status, namely receipts, bills of sale, etc.

What about state and local laws? The laws of many states mirror Federal law in that they ban the possession of a “semiautomatic assault weapons”. Other states, most notably California, New Jersey, and Illinois are even more restrictive. Some states restrict the size of magazines in general, while others restrict the size of magazines allowed for hunting. Generally, the states have not made distinctions between US-made and imported rifles. Some states do not even have exemptions for previously legal rifles and magazines. Bottom line: Be prepared to get familiar with your state and local laws if you own a modified SKS Carbine.

Where can I get more information about the laws affecting the SKS Carbine? The [ATF “Green Book”](#) is actually fairly readable and has an extensive Q&A section. It's big so don't click unless you have a fast connection or a lot of time. One nice feature of .PDF files is that you can save it away on your computer for later reference.

In addition, [ATF Online](#) provides a wealth of information straight from the ATF, as well as links to various [state laws](#).

I've tried to read the stuff from ATF and am totally confused. How do they expect anyone to figure this stuff out? Here is an overview of six regulations you will likely encounter in you research (more information on each is presented later):

1. 1. Title 18 USC § 925(d)(3): Is a 1968 law that allows ATF to restrict importation of “non-sporting firearms”. ATF published “studies” in 1989 and 1998 defining what it considered “non-sporting”. However, since there is no law or regulation about what “non-sporting” is, all one can do is read the studies for guidance and then ask ATF on a case-by-case basis.
2. 2. Title 18 USC § 922(r): Is a 1990 law prohibiting assembly of a Title 18 USC § 925(d)(3) firearm from imported parts. Congress passed this law in because companies imported “kits” and assembled them in the US during

1989 and 1990. Though 922(r) only covers *assembly*, the possession of a Title 18 USC § 925(d)(3) violating rifle might still cause legal problems should you ever have a run-in with the law, so it is probably prudent to not purchase such a rifle from someone else.

3. 3. 178.39: Is a regulation that defines a list of twenty parts. Any rifle where [ten-or-less of these parts are imported](#) is considered a “domestic rifle” and not subject to 922(r). Note that the total number of listed parts in the rifle is not important, so often swapping out just a few imported parts for US-made ones frees your rifle from the provisions of Title 18 USC § 922(r).
4. 4. Title 18 USC § 925(e): A law that allows Curio & Relic firearms to be imported—even those like a Yugoslavian SKS Carbine that might otherwise be in violation of Title 18 USC § 925(d)(3). Despite the fact that the rifle is already here, anytime you modify your C&R rifle it loses C&R status and you'll need to comply with 922(r) and the 1994 AWB.
5. 5. Title 18 USC § 921(a)(30)(B): Definition of 1994 Assault Weapon. Applies to both domestic and imported rifles with detachable magazines. However, 922(r) is *usually* more restrictive with regard to imported rifles.
6. 6. Title 18 USC § 922(v): Prohibits assembly, possession, or transfer of Title 18 USC § 921(a)(30)(B) rifle. Title 18 USC § 922(v) and Title 18 USC § 921(a)(30)(B) are often collectively referred to as the “1994 Assault Weapons Ban” or “1994 AWB” for short.

[Back to the top](#)

1989 Military Style Semiautomatic Rifle Ban Questions:

What is the history of this ban? On July 6, 1989 various military style semiautomatic rifles were determined by ATF to be “non-sporting” based on a variety of features and banned from importation. The authority to impose this ban stemmed from the 1968 Gun Control Act, specifically Title 18 USC § 925(d)(3). This ban included the “SKS style rifle” with certain features.

Shortly thereafter, various manufacturers began importing foreign parts and assembling them on locally made receivers. Congress responded in 1990 by passing new regulations. Title 18 USC § 922(r) made it illegal to build any firearm prohibited from importation as “non-sporting” under Title 18 USC § 925(d)(3). Note that only assembly is illegal—possession, transfer, etc, of such a firearm are not covered.

However, the 1990 law was so vague that in 1993 the ATF wrote regulations (178.39) that spell out the “10-or-less imported parts rule” and what “imported parts” mean. It states that only [10 imported parts](#) are allowed in an unsporting imported firearm. This new law and regulation shows up in the 1995 Federal Firearms Guide. During the interim many rifles were built at home from imported parts without concern to parts count.

Finally on April 6, 1998, another study on what constitutes “non-sporting” firearms “result in a finding that the ability to accept a detachable large capacity magazine originally designed and produced for a military assault weapon should be added to the list of disqualifying military configuration features identified in 1989.”

Bottom Line: If you wish to [modify](#) your imported SKS Carbine, you will need to understand what is and is not allowed. Otherwise, it is very likely that you will inadvertently violate Federal firearms law.

Just what happened on July 6, 1989? For the full story you have to go to the [ATF "Green Book"](#). However, on that date the Secretary of the Treasury used the authority delegated to him by Congress under Title 18 USC § 925(d)(3) to restrict the import of "non-sporting" firearms.

Just what features would restrict an SKS Carbine from import since 1989 is unclear. However, the ATF web site contains a link to the [1998 Study Determination](#), list of eight military features that *could* cause a semiautomatic rifle to be classified as "non-sporting" and prohibited from importation:

1. 1. Ability to accept a Large Capacity Military Magazine (i.e.: AK-style magazines) [see explanation of [LCMMs](#)]
1. 2. Folding/telescoping stocks
2. 3. Separate pistol grips [see explanation of [pistol grips](#) and [thumbhole stocks](#)]
3. 4. Ability to accept a bayonet (bayonet mount) [see explanation of [bayonets](#).]
4. 5. Flash suppressors
5. 6. Bipods [see explanation of [bipods](#)]
6. 7. Grenade launchers
7. 8. Night sights

This is not to say that a particular rifle having one or more of the listed features should necessarily be classified as "non-sporting". Indeed, many traditional sporting firearms are semiautomatic or have detachable magazines. Thus, ATF has stated that these criteria must be viewed in total to determine whether the overall configuration places the rifle fairly within the semiautomatic assault rifle category.

Because this "restricted feature" list is not found in either law or regulation, the features that could restrict an SKS Carbine from import are not fixed. ATF could decide to allow certain features on particular configuration, while prohibiting them on others. The only way to know if a particular configuration is legal for importation is to ask. Don't be shy! ATF has said that they will provide a "determination" to anyone who requests one. If there is any doubt, you should [write the ATF](#).

For additional information you can study the [Full text of the ATF's 1989 Report](#) or the [full text of the ATF's 1998 report](#).

Remember that Title 18 USC § 922(r) made it illegal to build any firearm prohibited from importation under Title 18 USC § 925(d)(3). This includes [modifying](#) your imported SKS Carbine to be "[identical](#)" to one that is prohibited.

Your list is different than the one on Simonov.Net, what gives? Just exactly what features would restrict an SKS Carbine from import is unclear. For example, a copy of a 1998 [ATF Brochure from the Simonov.Net web site](#) (253kb) "includes" SKS Carbines with any of the following three features:

- • Folding Stock

- • Folding Bayonet
- • Detachable Magazine

Therefore, it seems very clear that adding one of these three features to an SKS Carbine is definitely restricted. Unfortunately, the word “includes” opens the door to the possibility that additional configurations are prohibited. The ATF’s [1998 Study Determination](#), contains the more expansive list of eight military features that *could* prohibit semiautomatic rifles from importation:

Warning: Prudence would suggest that the more expansive list be considered correct. [Modifying](#) an [imported](#) SKS Carbine to add separate [pistol grips](#), flash suppressors, certain types of [bipods](#), grenade launchers, night sights should be treated with caution.

What the meaning of the term “identical” in Title 18 USC § 922(r)? Many people think they can modify a rifle so long as they don’t create a rifle that is an exact copy of one of the rifles prohibited by ATF. This is not the case. The following is directly from ATF-346:

The comment was made that the use of term “identical” in section 922(r) was intended to require that firearms prohibited from assembly under section 922(r) be exact copies of specific rifles or shotguns which ATF has found to be nonimportable. The comment has not been adopted because such an interpretation would result in a prohibition which could easily be circumvented by merely changing a minor feature on the assembled firearm, e.g., slightly changing the barrel length. Additionally, if the regulation adopted the position that only those specific firearms previously found to be nonimportable are prohibited from assembly under section 922(r), ATF would constantly be one step behind in enforcing the law. For example, an importer could make one or more minor changes in an existing nonimportable weapon, import the parts, and assemble the weapon without violating section 922(r), since the modified weapon would not have been ruled upon by ATF.

For the statute to have any definitive meaning, the phrase “identical to any rifle or shotgun prohibited from importation” must be interpreted to mean that a firearm may not be lawfully assembled from imported parts if the firearm would not be importable under 18 U.S.C. 925(d)(3). In the Report of the Working Group, ATF determined that semiautomatic assault rifles are a distinctive type of rifle prohibited from importation under section 925(d)(3) since they are not generally recognized as particularly suitable for, or readily adaptable for sporting purposes. Thus, *any rifle which would be classified as a semiautomatic assault rifle under the criteria specified in the Report of the Working Group could not be assembled in the United States from imported parts. Even if such a rifle had never been imported into the United States and ATF had never denied its importation, it could not be assembled from imported parts.*

Can I replace parts on my “pre-ban” rifle? Yes, but only with like parts. The following is directly from the ATF-346:

The comment was made that ATF should allow the replacement of broken or defective parts in any rifle or shotgun which had been legally imported into or assembled in the United States. Pursuant to this comment, the regulation has been revised to allow the replacement of damaged or

defective parts on firearms which were lawfully imported into the United States or which were lawfully assembled prior to November 30, 1990, the effective date of section 922(r). For example, the regulation will allow for the replacement of a broken stock or pistol grip on a damaged semiautomatic AK-47 which was legally imported into or legally assembled in the United States. Further, a defective fixed shoulder stock of an SKS type rifle which was lawfully imported as a sporting firearm could lawfully be replaced with a fixed shoulder stock. On the other hand, the shoulder stock could not be replaced with a folding stock since the assembly of the SKS rifle with a folding stock would result in a firearm which would be nonimportable.

What is a “Large Capacity Military Magazine”? The original “restricted features” list from the 1989 study included detachable magazines. However, the associated text said “that any of these military features, *other than the ability to accept a detachable magazine*, would make a semiautomatic assault rifle not importable”. Therefore, if a detachable magazine was the only offending feature the rifle could still be imported. This can be seen from the fact that detachable magazine SKS-M Carbines were imported in large numbers until 1994. However, in 1998, it was determined that semiautomatic rifles with the ability to accept “Large Capacity Military Magazines” would thereafter be prohibited from import.

The key to understanding this study’s effect on the SKS Carbine is to analyze the wording from this study very carefully. ATF said: “Our review, however, did result in a finding that the ability to accept a detachable large capacity magazine originally designed and produced for a military assault weapon should be added to the list of disqualifying military configuration features identified in 1989.”

Since 1) aftermarket magazines are produced specifically for the SKS, and 2) ATF by definition considers the SKS a “military assault weapon”, and 3) aftermarket magazines are available in “large capacity”, they are by definition considered “Large Capacity Military Magazines” by ATF.

Warning: Despite the fact that no military organization ever used aftermarket magazines in an SKS Carbine, since 1998 it is a 922(r) violation to [modify](#) an imported SKS Carbine to use one.

Is a 20-round fixed magazine a “Large Capacity Military Magazine”? It has always been assumed that fixed magazines were not considered “Large Capacity Military Magazines” by ATF. However, ATF has recently said: “SKS rifles capable of accepting a large capacity ammunition-feeding device are prohibited from importation. Therefore, [modifying](#) an SKS to accept a large capacity ammunition-feeding device would be a violation of 922 (r).”

Caution should be used with regard to large capacity fixed magazines capable of holding more than ten rounds.

What’s the deal with “pistol grips”? The 1989 Ban restricts “separate pistol grips”. The 1994 Assault Weapons Ban restricts a “pistol grip that protrudes conspicuously beneath the action of the weapon”. The 1994 language makes no mention that the pistol grip be “separate”. Therefore, it is generally accepted that for the purposes of the 1994 AWB, thumbhole and “Dragunov” stocks are considered as having a pistol grip. Whereas the 1989 language seems to require that the pistol grip be separate in order to count as an

“restricted feature”. This reasoning seems to be supported by the fact that Russian made VEPR Rifles are imported with thumbhole stocks.

However, it's not exactly clear what ATF considers a “separate pistol grip”. The grip on an AK rifle is completely separate in that it attaches to the receiver separately from the buttstock. On the other hand, the grip on a thumbhole or drag stock that is not considered “separate” is completely enclosed by and integrated into the stock. One wonders about the ATI Ultralight—does “separate” does mean “not enclosed”. And as for pistol grips that bolt onto an existing stock, since there is clearly a separate piece attached to the stock with screws, one would think that ATF would consider these as “separate”.

Also see the explanation of [thumbhole stocks and the 1994 AWB](#)

Warning: This ambiguity means bolt-on pistol grips and certain aftermarket stocks should be treated with caution when considering the requirements of 922(r).

What's the deal with bipods? Here's what ATF has said about bipods:

*“The majority of military firearms have bipods as an integral part of the firearm or contain specific mounting points to which bipods may be attached. The military utility of the bipod is primarily to provide stability and support for the weapon when fired from the prone position, especially when fired fully automatic. Bipods are available accessory items for sporting rifles and are used primarily in long-range shooting to enhance stability. However, traditional sporting rifles do not come equipped with bipods, nor are they specifically designed to accommodate them. Instead, *bipods for sporting firearms are generally designed to attach to a detachable 'sling swivel mount' or simply clamp onto the firearm.*”*

Thus clamp-on and other detachable bipods clearly appear to be acceptable to ATF. Recently, ATF has given indications that permanently attached bipods may be acceptable on at least some SKS carbines.

Warning: Bipods permanently attached to the rifle should be treated with caution when considering the requirements of 922(r).

My SKS Carbine still has a bayonet mount, I thought they were

“banned”? An older [SKS FAQ](#), which can be found on [William Bardwell's web site](#), says that if the rifle does not accept a detachable magazine (such as is the case with the majority of SKS Carbines) it is subject to the above restrictions, except that it can have the bayonet mount intact on the gun, but not the bayonet. This view is supported by the fact that in November 1990 ATF issued a letter to FFL holders requesting they remove bayonets from boxes containing SKS Carbines—while the bayonet mounts were allowed to remain.

I can find no reference information that confirms this information. If you have any reference information, please contact me. In the meantime it would probably be prudent to treat the bayonet mount as a full-fledged “restricted feature” when making modifications to SKS carbines.

Can't I just add parts to the SKS Carbine I already own, after all it's already been imported? Title 18 USC § 922(r) prohibits “any person to

assemble from imported parts any Semiautomatic rifle or any shotgun which

is identical to any rifle or shotgun *prohibited* from importation under Title 18 USC § 925(d)(3).” Put another way, it is illegal for anyone to assemble a semiautomatic rifle or shotgun domestically that would be prohibited from import were import attempted. The only way to know **for sure** if a particular configuration is legal is to write ATF and ask. Don’t be bashful—ATF has said that they will not publish a list because anyone can write them and ask if a particular configuration is legal.

Remember that Title 18 USC § 922(r) made it illegal to build any firearm prohibited from importation under Title 18 USC § 925(d)(3). See the explanation of [“identical”](#).

My SKS is “pre-ban”, can’t I do whatever I want to it? It is not legal to add a particular feature to a pre-ban SKS Carbine. One could have added it before the ban. But if the rifle did not have the feature on the date the ban became effective, adding it afterwards would be illegally assembly of a banned firearm. A banned feature may be repaired, but cannot be added to a firearm.

The May, 1994 *American Rifleman* magazine featured an article on the subject which quoted Edward M. Owen, Jr., chief of the BATF Firearms Technology Branch, as writing:

On Nov. 29, 1990, the Congress enacted Title 18 (of the United States Code), Chapter 44, Section 922(r) which states 'it shall be unlawful for any person to assemble from imported parts any semi-automatic rifle or any shotgun which is identical to any rifle or shotgun prohibited from importation under Section 925(d)(3)...'

As indicated the section became effective on Nov. 29, 1990. Therefore, any assembly, performed after the effective date of the section, which creates a semi-automatic rifle that is prohibited from importation would be a violation of Section 922(r), **irrespective of the date that the firearm was imported.**

This contradicts the common belief that rifles imported prior to 11-29-90 are immune from this legislation.

I purchased an SKS Carbine with “restricted features” before I learned about any of this. Is my rifle “legal”? 18 USC § 922(r) only bans “assembly”, it is not a crime to possess a firearm that another person “assembled” in violation of the law. However, it may be subject to seizure and forfeiture, if ATF can show it was assembled in knowing or willful violation of the law.

I see brand-new AK rifles for sale that have all sorts of “restricted features”, what gives? Companies and individuals do all kinds of stuff to AK rifles, because they can replace several of the parts and qualify as a US-Made rifle, bypass the 922(r) rules, and then only have to worry about compliance with the 1994 AWB.

My SKS has some of these “restricted features” already on it. What gives? Rifles already sold to the public are generally “grandfathered” when new firearms laws take effect. If your SKS Carbine has features that were legal before a ban, they usually continue to be legal afterward. Some jurisdictions (most notably the State of California) have gone so far as to pass outright bans without a grandfather clause, so you should be very careful if you live in a particularly restrictive locale.

You can replace parts that were on the rifle before a particular ban with like parts. But in doing so it appears that you cannot add or even remove “restricted features”. For example: ATF has said that replacing the pistol grip furniture with a thumbhole stock on a MAK-90 is not legal, even though it removes a “restricted feature”. Since 1998 semiautomatic rifles with the ability to accept “Large Capacity Military Magazines”, such as the MAK-90, are prohibited from import.

Take a look at an older [SKS FAQ](#), which can be found on [William Bardwell's web site](#). Note the [letter to Soup Bowl Enterprises](#). It explains that adding a thumbhole stock to an existing imported MAK-90 was “assembly” in violation of 922(r), even though it removed an “restricted feature”, because the result was an imported rifle which used a “Large Capacity Military Magazines”.

[Back to the top](#)

1994 Chinese Ban Questions:

What happened on May 26, 1994? For the full story you have to go to the [ATF “Green Book”](#). It is the policy of the United States to *deny licenses and other approvals* with respect to firearms originating in certain countries or areas. This policy applies to a variety of countries including ones in where SKS Carbines were manufactured. However, there is also a list of various firearms that *can* be imported from countries on the list, but the SKS Carbine is not one of them. Finally, the book mentions that firearms that are on the “curio or relic list” (see the C&R section) can also be imported (certain SKS Carbines are on this list).

Changes in foreign policy may result in additions to and deletions from the list of countries. This is what happened on May 26, 1994 when President Bill Clinton banned the importation of “munitions” from PRC.

Does this ban mean that a person is prohibited from or making modifications to a Chinese SKS Carbine? It is *US foreign policy* to deny licenses and other approvals for the import of firearms originating in various countries. So does US foreign policy prohibit a person from making modifications to an SKS Carbine? No. Title 18 USC § 922(r) restricts the assembly of only those items prohibited under Title 18 USC § 925(d)(3), which is where the Sec. of Treasury restricted the import of “non-sporting” firearms.

Some have erroneously suggested that since all Chinese SKS Carbines were “banned” in 1994, one cannot make *any* modifications. If I understand correctly, the reasoning goes something like this: ‘Since when you [modify](#) a rifle it must comply with current law, you can't [modify](#) a Chinese SKS Carbine because you would always be creating a rifle that would be banned from import because no Chinese SKS Carbines can be imported.’ Some have used this erroneous logic to likewise suggest that any modification to any SKS Carbine is likewise prohibited.

However, it is clear that they are applying Title 18 USC § 922(r) to firearms restricted because of foreign policy considerations, when it only applies to firearms restricted as “non-sporting” by Title 18 USC § 925(d)(3).

Is a Chinese SKS Carbine treated differently than one from a Yugoslavia, Russia, etc? Yes and no. Yes, SKS carbines from many (primarily eastern European nations) are imported under “Curio and Relic” rules. And no, Title 18

USC § 922(r) still restricts the assembly of those items prohibited under Title 18 USC § 925(d)(3). So if your C&R SKS Carbine loses its' C&R status, it is treated just like a non-C&R Chinese SKS Carbine.

[Back to the top](#)

1994 Assault Weapons Ban Questions:

What is the 1994 AWB (Semiautomatic Assault Weapon Ban) all about?

Title 18 USC § 921(b) defines the term 'semiautomatic assault weapon' means...a semiautomatic rifle that has the ability to accept a *detachable magazine* and has at least two of:

- (i) (i) a folding or telescoping stock;
- (ii) (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon; [which includes [thumbhole](#) and "Dragunov" stocks]
- (iii) (iii) a bayonet mount
- (iv) (iv) a flash suppressor or threaded barrel designed to accommodate a flash suppressor; and
- (v) (v) a grenade launcher

It shall be unlawful for a person to manufacture, transfer, or possess a semiautomatic assault weapon manufactured after September 13, 1994. Note that if a rifle has a fixed magazine or only one of the items in the list it cannot be considered a semiautomatic assault weapon. Thus, the 1994 AWB affects only SKS Carbines with detachable magazines.

What about the models defined in Title 18 USC § 921(a)?

Title 18 USC § 921(b) defines the term 'semiautomatic assault weapon' to mean...any of the firearms, or copies or duplicates of the firearms in any caliber, known as -

- (i) (i) Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models);
- (ii) (ii) Action Arms Israeli Military Industries UZI and Galil;
- (iii) (iii) Beretta Ar70 (SC-70);
- (iv) (iv) Colt AR-15;
- (v) (v) Fabrique National FN/FAL, FN/LAR, and FNC;
- (vi) (vi) SWD M-10, M-11, M-11/9, and M-12;
- (vii) (vii) Steyr AUG;
- (viii) (viii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and
- (ix) (ix) revolving cylinder shotguns, such as (or similar to) the Street Sweeper and Striker 12;

These definitions do not appear to be valid. For example, an older [SKS FAQ](#), that can be found on [William Bardwell's web site](#) says the following:

The "Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models)" clause is gibberish. All of these either don't ban anything, or are too vague to be enforceable. ATF apparently agrees, they have approved the sale of, as non "semiautomatic assault weapons", AR type rifles, including ones made by Colt, that have only one bad feature, a pistol grip.

However, some courts play pretty fast and loose with the rules. For example, in [US v. Piggie](#), what's troubling is the erroneous application of Federal law:

The assault weapon statute in question describes "any of the firearms, or copies or duplicates of the firearms in any caliber, known as-(i) Norinco [,

Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models);].” 18 USC § 921(a)(30)(A)(i) (1994 & Supp. V 1999).

Mr. Piggie was in possession of an SKS Carbine that happened to be manufactured by Norinco, and got serious additional time for it. This is surprising since an editor's note on page 114 of the *Federal Firearms Regulations Reference Guide* (2000 edition) says, “‘Norinco’ refers only to AK 47 rifles or variations thereof.”

Bottom line: Know the law and make sure you follow it. If you aren't sure, write ATF for clarification. If you get into a scrape with the law, get a good lawyer. If you are trying to apply the information in this FAQ to one of the rifles listed, you should get additional information.

What's the deal with thumbhole stocks? The 1994 Assault Weapons Ban restricts a “pistol grip that protrudes conspicuously beneath the action of the weapon”. The 1994 language makes no mention that the pistol grip be “separate”. Therefore, it is generally accepted that for the *purposes of the 1994 AWB*, thumbhole and “Dragunov” stocks are considered as having pistol grips. While for the purposes of Title 18 USC § 922(r), they appear to not have a “separate pistol grips”.

In addition, the CA Department of Justice web site says: “To implement recent assault weapon legislation, the Department of Justice has proposed regulations to define assault weapon characteristics. Under the proposed regulations, the proposed definition for ‘pistol grip that protrudes conspicuously beneath the action of the weapon’ means ‘a grip that allows for a pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed below the top of the exposed portion of the trigger while firing.’” It is my understanding that this definition means that extreme Monte Carlo stocks can be considered to have a pistol grip. See: [CALIFORNIA DEPT OF JUSTICE: PISTOL GRIPS](#).

Also see the explanation of [pistol grips and 922\(r\)](#)

Does the 1994 AWB ever go away? It expires after ten years on Sept 13th, 2004.

[Back to the top](#)

Modification Questions:

What modifications can I do to my SKS Carbine? My advice: Appreciate the SKS Carbine for what it is. Don't mess with it. The longer you own one the more you will find that it works best in its original form without a lot of accessories.

Can I put a detachable magazine on my SKS Carbine? The short answer is “NO”. To add a detachable magazine to an imported SKS Carbine violates the “1989 Import Ban”, specifically it is a violation of [Title 18 USC § 922\(r\)](#). To add one to a Yugoslavian Type 59/66 results in a [1994 AWB violation](#). Of course, other modifications change the equation: Removing “evil features” can prevent the AWB violation, and swapping some number of [imported parts](#) for US-made ones can prevent the “1989 Import Ban” violation.

Warning: Do not use detachable magazines with your SKS Carbine unless you are sure that it is legal for you to do so.

Since my SKS Carbine is already “imported”, can’t I just do whatever I please to it? Despite the fact that the rifle is already here, anytime you modify your rifle you'll need to comply with the **current** requirements of Title 18 USC § 925(d)(3) and § 922(r). Any remaining “restricted features” will need to be removed. For most SKS Carbine this leaves the bayonet mount as the only remaining “restricted feature”.

In the past, ATF has said the bayonet mount (without the bayonet) may remain on a fixed magazine SKS. So you should only really need to remove the night sights in order to get legal. However, it is unclear whether this is still the official ATF position.

What modifications can I really do to my SKS Carbine? As long as your SKS Carbine contains more than [ten imported parts](#), the answer is: “Not very much”. Some guidance can be gleaned from a letter to the NRA from ATF Technology Branch, printed in the NRA magazine, American Rifleman May, 1994. It specifically mentions the following the following modifications of an standard SKS Carbine would *not* be violations of Title 18 USC § 922(r):

1. 1. Replace the existing stock and handguard with a non-folding wooden or synthetic stock having either a Monte Carlo or thumbhole design. [See the discussion of [pistol grips](#) and [thumbhole stocks](#).]
2. 2. Attach a muzzle mounted recoil compensator, provided that the device is not also designed as a flash suppressor.
3. 3. Replace the standard configuration stock with a Monte Carlo or thumbhole style stock [see the discussion of [pistol grips](#) and [thumbhole stocks](#)] and replace the fixed magazine with a detachable magazine. This modification may be done provided that the bayonet mount is completely removed from the rifle. [Since 1998, this modification is not longer allowed. See the [LCMM](#) discussion.]
4. 4. Replace the existing 10 round magazine with a fixed magazine of a larger capacity. [However, it appears that since 1998, this modification may not be allowed. See the [20-round magazine](#) discussion.]
5. 5. Replace the existing 10 round magazine with a fixed 5 round magazine or install a block in the well of the 10 round fixed magazine to limit its capacity to 5 rounds.
6. 6. Replace the existing receiver cover with a cover having a telescopic sight based and/or rings.
7. 7. Replace the front and/or rear sight or install an ambidextrous safety.

With respect to attaching a bipod to a standard configuration SKS rifle; standard configuration SKS rifles are not approved for importation with bipods. Therefore, the attachment of a bipod would be a violation of Title 18 USC § 922(r).

Note that this information is somewhat dated, so use caution: Item #3 probably doesn't address Yugoslavian SKS Carbines imported with bayonets, night sites, and grenade launchers. It is reasonable to assume that all three of these features must be removed if a Yugoslavian SKS Carbine is modified. The full text of this letter can be found in an older [SKS FAQ](#), which can be found on [William Bardwell's web site](#).

Notice that the modifications listed all fall within the scope of the July 6, 1989 military style semiautomatic rifles ban. They seem to be in two categories: Those that are cosmetic, and those that constitute “assembly” of a new rifle and thus require the bayonet mount to be removed. One can imagine various other modifications that would also fall inside the scope of the 1989 ban. However, it is unclear which of these require the bayonet mount to be removed. If you have any doubt, the safe thing to do would probably be to remove the bayonet mount.

What modifications can I really, really do to my SKS Carbine? If your SKS Carbine has 10-or-less imported parts you can bypass the 922(r) rules, and only worry about compliance with the 1994 AWB.

What modifications can I make to my SKS-D? Not much! Remember that Title 18 USC § 922(r) prohibits assembling a rifle in violation of Title 18 USC § 925(d)(3) (aka: “import ban”). Making modification to this rifle constitutes “assembling” a *whole new rifle*. ATF has said that modifications such as replacing the stock with one of a different style are violations of 922(r).

Why? The newly assembled rifle violates the prohibition against “assembling” an imported rifle that uses a Large Capacity Military Magazine (LCMM). Take a look at an older [SKS FAQ](#), which can be found on [William Bardwell’s web site](#). Note the [letter to Soup Bowl Enterprises](#). It explains that adding a thumbhole stock to an existing imported MAK-90 was “assembly” in violation of Title 18 USC § 922(r), even though it removed an “restricted feature” (the pistol grip). Thus, any LCMM rifle cannot be “reassembled” into a different configuration, even if that configuration it was legal when it was imported.

Can I use “AK drum magazines” in my SKS-D and SKS-M? The short answer is “yes” and “no”. “Yes” it would be legal. But because the magazine well is too deep to accept the drum style magazines, the real answer is “no”. Certain aftermarket stocks (like the ATI Ultralight, for example) have a shallower magazine well that allows drum magazines to be used without altering your existing stock.

Can I put the bayonet back on my “pre-ban” Chinese SKS? Once you alter the configuration and remove a “restricted feature”, it is lost—you cannot restore the feature later. Title 18 USC § 922(r) tells us that the rifle must meet current restrictions each time it's modified. However, as a practical matter: Once the rifle is back in its original configuration, it will be difficult for anyone to prove it was ever modified in the first place...difficult, but not impossible, so caution is in order.

Features may be removed during the process of repair and maintenance. It is not clear how long and under what circumstances ATF could consider protracted repair and maintenance as assembling a new configuration.

What happens if I modify a C&R SKS Carbine? It appears that just about any modification you can think of causes a C&R rifle to lose its C&R status: Replacing a wooden stock with a synthetic one, adding a scope, removing the bayonet, etc.

Look at it this way: the SKS Carbines would normally be prohibited from importation due to its design being “non-sporting” and “a firearm suited for military use”. The ONLY reason it is allowed into the country is because it is C&R eligible, meaning that it has some sort of historical value. Furthermore, ATF has stated repeatedly that in order for a surplus military firearm to retain

C&R status, it must be complete and in its “original military configuration”. Otherwise, it is not C&R and may not be importable under Title 18 USC § 925(d)(3).

Should C&R status be lost, any remaining “restricted features” will need to be removed. For most SKS Carbines, the bayonet mount is the only “restricted feature”. For Yugoslavian Type 59/66A1 SKS Carbines, the grenade launcher, night sights, and bayonet mount are “restricted features”.

In the past, ATF has said the bayonet mount (without the bayonet) may remain on a fixed magazine SKS. So you should only really need to remove the night sights in order to get legal. However, it is unclear whether this is still the official ATF position.

Would refinishing a C&R SKS void its C&R status? Refinishing a stock or metal parts will not void the C&R status. That can easily fall under “restoration work”.

What happens if I modify a Yugoslavian Type 59/66 Rifle? The Yugoslavian Type 59/66 Rifle variation has a bayonet and grenade launcher; the Type 59/66A1 also has tritium night sights. Modifying this rifle voids the C&R status, and the resulting rifle has enough features to violate the “1989 Import Ban” by triggering a violation of Title 18 USC § 922(r).

What happens if I add a detachable magazine to a Yugoslavian Type 59/66 Rifle? The resulting rifle has enough features to not only violate the “1989 Import Ban”, but the 1994 Assault weapons ban as well. Typically this will necessitate the removal of either the bayonet mount or the grenade launcher.

Do not add a detachable magazine to a Type 59/66 unless you are sure it is legal to do so. Illegally adding a detachable magazine to this rifle is creating an illegal assault weapon—one of the most serious violations of Federal Firearms law.

What if I want to remove the grenade launcher from my Yugoslavian Type 59/66 Rifle? If the grenade launcher is removed from a Yugoslavian SKS Carbine, the muzzle threads can be covered by a muzzle brake which is permanently attached to the barrel by welding or high temperature (1,100 degrees Fahrenheit) silver solder. The muzzle brake must not additionally function as a flash hider or grenade launcher. Current understanding is that removing the grenade launcher takes your rifle out from under the protections of its C&R status. Therefore it would be subject to the requirements of Title 18 USC § 925(d)(3) and 922(r), forcing you to also remove the night sights and bayonet mount.

In the past, ATF has said the bayonet mount (without the bayonet) may remain on a fixed magazine SKS. So you should only really need to remove the night sights in order to get legal. However, it is unclear whether this is still the official ATF position.

Wait a minute various companies sell “California legal Yugos”, what gives? California law prohibits the grenade launcher on Yugoslavian Type 59/66 Rifles. Various companies sell so-called “California legal Yugos”, where the Grenade launcher is removed and replaced with a muzzle break. While at least one company claims to have a letter from ATF approving this modification, it is not clear that rifles with this modification are truly legal.

How can I check to make sure my SKS Carbine's modifications are legal?

You can write ATF in Washington D.C., outline your project, and ask for a 'determination'. This will give you piece of mind. ATF has said that they "anyone can request a determination". Be respectful and be sure that you *clearly* outline what you propose to do. The address is:

Bureau of Alcohol, Tobacco, and Firearms
Firearms Technology Branch
650 Massachusetts Avenue, NW—Room 6450
Washington, DC 20226

I see lots of SKS Carbines on the Internet, at guns show, in pawn shops, etc. that look illegal, what do these guys know that you don't?

If it looks illegal, it probably is. The vast majority of people who modify SKS Carbines either don't know the law, don't care to know the law, or just don't care. If you have any question as to whether a particular modification is legal, make sure the seller can prove either:

- 1) 1) The modification is one is approved by the ATF.
- 2) 2) The modification is predates a particular ban and is thus grandfathered.
- 3) 3) The modified SKS Carbine contains 10-or-less imported parts.

Can I legally do add stuff to my rifle; don't I need to have a license or something?

Here is a quote from the Q&A portion of the [ATF "Green Book"](#):

(A7) Does the GCA prohibit anyone from making a handgun, shotgun or rifle? With certain exceptions a *firearm may be made by a nonlicensee* provided it is not for sale and the maker is not prohibited from possessing firearms. However, a person is prohibited from making a *semiautomatic assault weapon or assembling a nonsporting semiautomatic rifle or nonsporting shotgun from imported parts.*

So it appears that you can indeed modify your SKS Carbine for your own personal use—as long as the modification is legal. If there's any question on whether modifications to a firearm are legal, one should [write the ATF](#). (Keep a copy the response with the rifle just in case another law enforcement organization ever questions things. Keep the original in a safe place.) If you're really concerned, don't make the modifications yourself—find a competent gunsmith who is knowledgeable about the law, and let them do the work for you. Of course, the state one resides in may be more restrictive than the ATF.

But, whether one does or doesn't, they're going to eventually going to run into law enforcement officers who simply don't know what all the rules are (most just don't have the time to be up on the details of *every* rule and regulation, especially the obscure ones relating to the modification of imported semi-automatic rifles). If that's the case, legal or not, your in trouble—I can just imagine trying explaining to an law enforcement officer that the bayonet and grenade launcher on a C&R Yugoslavian SKS Carbine are really legal: "No really officer, you see there's this 'Curio and Relic List' from ATF that says the grenade launcher is legal. No really, there is..."

And though you can later sell the firearm, at least some FFL dealers will not want to handle it. So you may be looking at restoring the firearm to original condition or selling it to a private party—which may substantially reduce its value. Owners of AK rifles realized this long ago: Even though you can "do it yourself" many AK owners send their rifles to licensed gunsmiths and re-

manufacturers for modification. Think about it—The resale value of a ‘Really Nice Professionally Modified AK’ is bound to a lot higher than a ‘Larry’s Hack Job, Might Not Be Completely Legal If He Klutz-ed It, Not Up To Professional Standards AK’.

Can I own detachable magazines and other parts? Title 18 USC § 922(r) does not prohibit the importation, sale, or possession of parts that may be used to assemble a semiautomatic rifle or shotgun in violation of the statute. However, Semiautomatic weapons in disassembled condition consisting of all parts needed to assemble a complete semiautomatic assault weapon are subject to regulation if the parts are ***segregated or packaged together*** and held by a person as the parts for the assembly of a particular firearm.

Note that these rules are not that same as the rule governing NFA (automatic) firearms and parts. Under NFA rules, simply owning the parts that can be assembled into an automatic weapon, silencer, etc. are prohibited.

This is all really complicated, has anyone ever gone to jail for this stuff?

The biggest obstacle for enforcing this law is that it prohibits the assembly of a certain firearms that don’t pass the sporting clause found in Title 18 USC § 925(d)(3) but such a firearm is not defined in law, regulation, or ruling, and may well never be defined. How can you prosecute someone for building a rifle that is prohibited in 925(d)(3) when there is no description or definition of these firearms in law, regulation, or ruling? Add to that the difficulty in actually showing who did the assembly, and you can see why I’m told that there are no known 922(r) prosecutions per se.

That having been said, it doesn’t mean it will never happen. And even if it doesn’t, it still doesn’t mean there are no consequences: If you or a family member ever run afoul of the law, possession of an “illegal assault weapon” could entitle you to a serious sentence enhancement.

[Back to the top](#)

“10-or-less” Questions:

What are the parts that “count”? 178.39 defines a list of twenty parts that ATF considers when deciding if a firearm is imported or not. The total number of listed parts in the rifle is not important, so often swapping out just a few imported parts for US-made ones frees your rifle from the provisions of Title 18 USC § 922(r). The listed parts are:

- | | | |
|----|----|---|
| 1. | 1. | Frames, receivers, receiver castings, forgings or stampings |
| 1. | 2. | Barrels |
| 2. | 3. | Barrel extensions |
| 3. | 4. | Mounting blocks (trunions) |
| 4. | 5. | Muzzle attachments |
| 5. | 6. | Bolts |
| 6. | 7. | Bolt carriers |
| 7. | 8. | Operating rods |
| 8. | 9. | Gas pistons |

- | | | |
|-----|-----|----------------------|
| 9. | 10. | Trigger housings |
| 10. | 11. | Triggers |
| 11. | 12. | Hammers |
| 12. | 13. | Sears |
| 13. | 14. | Disconnectors |
| 14. | 15. | Buttstocks |
| 15. | 16. | Pistol grips |
| 16. | 17. | Forearms, handguards |
| 17. | 18. | Magazine bodies |
| 18. | 19. | Followers |
| 19. | 20. | Floorplates |

If more than ten of the listed parts are imported, the entire rifle is considered imported. If ten or less of the listed parts are imported, the entire rifle is considered "US-Made". Recall that the onerous requirements of Title 18 USC § 922(r) only apply to imported rifles.

Just how many of these parts are in an SKS Carbine? Here are the relevant parts in an SKS Carbine:

- | | | |
|-----|-----|---|
| 1. | 1. | Receiver |
| 1. | 2. | Barrel |
| 2. | 3. | Bolt |
| 3. | 4. | Bolt carrier |
| 4. | 5. | Operating rod [aka: driving rod; aka: gas piston extension] |
| 5. | 6. | Gas piston |
| 6. | 7. | Trigger housing |
| 7. | 8. | Trigger |
| 8. | 9. | Hammer |
| 9. | 10. | Sear |
| 10. | 11. | Connector, bolt follower |
| 11. | 12. | Connector, rebound [aka: trigger mount arm] |
| 12. | 13. | Stock |
| 13. | 14. | Handguard |
| 14. | 15. | Magazine body |
| 15. | 16. | Follower |
| 16. | 17. | Floorplate |

Why do you list two disconnectors, Simonov.net only lists one? Take a look at the [trigger assembly of an SKS Carbine](#). The book [The Official SKS Manual](#) calls the "rebound disconnector" the "disconnector". The book [The SKS Carbine](#) calls the "bolt follower disconnector" the "disconnector". Thus these two references cannot agree on which of these parts are disconnectors.

In the other hand, the book [The SKS—Type 45 Carbines](#) refers to both of these as “disconnectors”. Should you end up in front of a Judge, which book do you think the prosecution is going to reference?

When SKS carbine is fired, the trigger bar pushes against the sear. The hammer flies forward, detonates the cartridge and starts the cycling of the gun. When the bolt travels rearward, it cams the hammer back and the hammer hits the “rebound disconnecter”. The “rebound disconnecter” pivots against the trigger bar, pushing it down and “off” of the sear, so that the sear snaps back and catches the hammer. It also ensures that you have to release the trigger (and thereby retract the trigger bar) before you can fire again.

When the bolt is locked, it pushes down on the “bolt follower disconnecter” and causes it to act on the trigger bar, so as to line up the end of the trigger bar with the sear surface such that a pull of the trigger moves the sear and disconnects it from the hammer. When the bolt is not locked (i.e., out of battery) the end of the bolt follower disconnecter is not depressed, and therefore the trigger bar is not lined up with the sear.

Based on this analysis SKS Carbines probably do in fact have two disconnectors, not one as listed on Simonov.net.

Can I remove the “rebound disconnecter?” [The SKS Carbine](#) says the rebound disconnecter “was originally used to guide the trigger arm...It was eliminated in Russian SKS Carbines in mid-1951 as unnecessary to the proper functioning of the trigger group, and from Chinese carbines with pinned barrels.”

*Unfortunately, ATF may take the removal of a disconnecter as evidence you are trying to convert your rifle to full auto. **Don't do it!***

Why do you list an “operating rod”, Simonov.net says there isn't one in an SKS? [The Official SKS Manual](#) calls the part in question a “driving rod”. [The SKS Carbine](#) calls the part in question a “gas piston extension”. The question is: Would the part in question be considered an “operating rod” by ATF? In almost all military arms, a metal rod that “acts on” the bolt or carrier of a rifle and is not one in the same with the gas piston is called an “operating rod”. Many parts vendors call that part of an SKS Carbine the “operating rod”.

Since the part in question performs a function like the “operating rod” in many other military firearms, prudence would suggest that one proceed as if SKS Carbines have an operating rod.

How many imported parts can be replaced in an SKS Carbine? Using commercially available parts, you can:

- (a) (a) Replace the **stock** with aftermarket US-made version.
- (b) (b) Replace the **handguard** with aftermarket US-made version.
- (c) (c) Replace the **gas piston** with the [Tapco US-made version](#).
- (d) (d) Replace the **operating rod** with the [Tapco US-Made version](#).
- (e) (e) Replace the magazine with a 100% US-made magazine, including the **magazine body, follower** and **floorplate**.
- (f) (f) On Yugoslavian Type 59/66 Carbines: Remove the grenade launcher and replace it with a USA made **muzzle break** (foreign muzzle attachments are counted).

After replacing these parts, how many parts are left? Here are the ten parts you have left:

- | | | |
|----|-----|--|
| 1. | 1. | Receiver |
| 1. | 2. | Barrel |
| 2. | 3. | Bolt |
| 3. | 4. | Bolt carrier |
| 4. | 5. | Trigger housing |
| 5. | 6. | Trigger |
| 6. | 7. | Hammer |
| 7. | 8. | Sear |
| 8. | 9. | Disconnecter, bolt follower |
| 9. | 10. | Disconnecter, rebound [aka: trigger mount arm] |

How many imported parts can be replaced in an SKS-D and SKS-M? Not enough! Currently there are no US-made AK-style magazines manufactured. There *are* US-made followers and floorplates. But with out a US-made magazine body, you are left with eleven imported parts.

Note: If in the future additional compliance parts become available, caution should still be exercised. Imported magazine bodies containing US-made followers and floorplates are not readily identifiable. It would be very easy to inadvertently use the wrong magazine—one without the required US-made parts.

[Back to the top](#)

C&R Questions:

What are the benefits of having a C&R license? Officially, the only thing a C&R FFL does for you is it allows you to purchase C&R firearms in interstate commerce and have them sent [directly](#) to you without going through a dealer. That's it. It does not give you any other special privileges. For example, if your state requires registration of certain firearms, then you must still register firearms you purchase with your C&R FFL. This is in addition to the Federal requirement to log them into your bound book.

However, there are some unexpected benefits to being a “licensed collector”—For example, once companies have your license in their system, all you have to do is pick up the phone, give them your credit card number, and wait for your C&R firearm to arrive. Also, many companies (Midway USA and Brownell’s to name just two) will give their “dealer prices” to C&R holders.

There is another unexpected benefit to being a “licensed collector”—it makes it easier to ship a non-C&R handgun sold via one of those ‘Internet gun sales’. How so? When a firearm is sold out of state, it must be shipped to a 01 FFL who acts as a transfer dealer. Unfortunately, most common carriers no longer accept handguns. United Parcel Service (UPS) is one of the exceptions. UPS will allow a *private individual* to ship firearms, including handguns, to a dealer or manufacturer, but only for *repair and customization*. However, UPS will transport firearms between licensed importers, licensed manufacturers,

licensed dealers and *licensed collectors* for *any reason*. For more information consult the "tariff" on the [UPS website](#).

What are "curios or relics"? The ATF "Green Book" states that "firearms which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons. To be recognized as curios or relics."

When the ATF designates a firearm as eligible for Curio & Relic status, it does so based on 3 factors. If the firearm meets any of these 3 factors, it can be eligible. These factors are:

- 1.) 1.) Firearms which were manufactured at least 50 years prior to the current date, but not including replicas thereof;
- 2.) 2.) Firearms which are certified by the curator of a municipal, State, or Federal museum which exhibits firearms to be curios or relics of museum interest; and
- 3.) 3.) Any other firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or because of their association with some historical figure, period, or event. Proof of qualification of a particular firearm under this category may be established by evidence of present value and evidence that like firearms are not available except as collector's items, or that the value of like firearms available in ordinary commercial channels is substantially less.

It is generally accepted (and verified by the ATF) that any firearm over 50 years old is automatically C&R. However, ATF has stated that the '50 year old' rule does not apply to firearms that have been substantially altered. (In this case, the age of the receiver is not the same as the age of the firearm.) But since most SKS Carbines are not 50 years old yet anyway, they typically fall into categories 2 and 3 of the above list.

Are SKS Carbines on the C&R list? SKS Carbines from a number of nations are on the list. ATF Publication 5300.11, [2001 Firearms Curios and Relics List](#), consists of lists of those firearms determined to be curios or relics from 1972 to the present. Updates may be found on the [ATF Curio and Relic web page](#).

What is a "licensed collector"? A "licensed collector" is someone with a type 03 Federal Firearms License (03 FFL), also known as a "Curio and Relics License" or simply a "Collector's License". A licensed collector has legal responsibilities much like a dealer. But we also don't have anywhere near the latitude that dealers have.

It is imperative that you keep good clean records. Don't ever fudge your logbook. The ATF just loves to bust people who have done that. They even like to bust you on honest errors. ATF inspections of C&R licensees are pretty rare, but they do occur. They are generally pretty painless and the agents are usually somewhat patient and respectful. But they don't always know what they're doing. So the fewer questions they have about your logs, the better off you are.

As a C&R licensee, you are in the same boat with everybody else when it comes to non-C&R firearms. You don't have to log them in or out, and you do have to go through the NICS checks and fill out paperwork like everybody else. So, when it comes to non-C&R firearms, you might as well not be a C&R

licensee. The license affords you no special treatment with regard to non-C&R firearms.

Also, even though you are a C&R licensee, you still must abide by all your State/local laws. If handguns must be registered in your state, then you must register them. Being a C&R licensee doesn't give you any privileges with respect to State/local requirements.

Where can I have firearms I purchase delivered? When you make purchases with your C&R License, they can only be delivered to the address on your license. If you move you will need to obtain an amended license.

Firearms and ammunition typically require an "adult signature" at delivery, so you may need to make special arrangements with the carrier if someone isn't at home during the day. Typically, you should be able to call and arrange for pick up at there hub. Have your ID and copy of your FFL available.

What is a C&R license and how do I obtain one? First of all, it is important that you understand the difference between a C&R (type 03) FFL and a dealer (type 01) FFL. The C&R FFL is a Federal Firearms License for collectors of Curio & Relic Firearms. It is strictly for enhancing a personal collection of vintage/historical firearms. The ATF has made it clear that it is not to be used for buying firearms for your friends, family, or to be used for "dealing" in firearms.

However, it is understandable that selling and trading firearms is a natural part of collecting. Just like stamp collectors will trade part of their collection for a piece of greater value to them, C&R collectors can do the same. But we must always be sure that we are not dealing in firearms. It is even acceptable to sell a firearm and make a profit. But again, it's all in your intent.

To obtain a C&R FFL, you simply fill out a couple of forms, mail them to the ATF with a check for \$30, send a duplicate copy of the application to your chief law enforcement officer (CLEO), and wait for your license to show up in the mail. It's that simple!

There are two forms you have to fill out. One is the actual C&R FFL application. You can download it directly from the [ATF website in .PDF form](#). It's meant to be printed on legal sized paper (8.5"x14"). But you can resize it to regular 8.5"x11" paper and the ATF apparently doesn't care. As long as it's legible, that's all they care about. The second form is a [Certification of Citizenship form](#). They are both simple forms and fairly self-explanatory.

Once you have the forms printed out and filled in, you need to make 2 copies of the C&R application and 1 copy of the citizenship form. You will send the originals to the ATF with your check for \$30. You will keep one copy of each for your records. And you will send one copy of the C&R application to your CLEO (Chief Law Enforcement Officer). For those of you who live outside city limits, your CLEO will most likely be your county sheriff. If you live in town, it will probably be your local police chief. Call their office and make sure.

The CLEO doesn't need the citizenship verification form; just the application. I even wrote a cute little note to my CLEO, informing him what this was and stating that it required no action on his part. It is just for his records. If he believes that you should not have this license (and has legal reasons for it), then he needs to contact the ATF. I've heard of some CLEOs who have contacted the applicants to tell them that he doesn't want them having this license. If your CLEO tells you this, smile at him and say it's not his decision

unless there is a legal reason for you not to own a firearm. Again, you are sending him this copy as required by law. It is a courtesy copy and NOT something that he has the power to deny you. The second page of the C&R application explains this. I highlighted it for him on his copy, just so he wouldn't miss it. You don't need to take it to him in person, either. That causes trouble for a lot of people. They get in a big debate with the CLEO over it. Just mail it to him and forget about it. You have fulfilled your obligation. You might want to send it return-receipt, just so you have a record that he got it.

It will take anywhere from 10 days to 6 months or more to get it back. It depends on which state you live in, your criminal record, etc. First, your application goes to the Dallas office. There, they cash the check. Then they send it to Atlanta. Do not get excited when they cash your check! It means nothing, except the fact that they have received your application!

It seems that the ATF has different reps for each state. Some are overworked and some can actually get their work done in a reasonable amount of time. They will contact your state to do a background check and process the paperwork. This is where hang-ups usually happen. If there is an error on your application, it will cause delays. If there is a problem with your background check, it will cause delays. If the ATF agent goes on vacation (which they seem to do a lot), it will cause delays. If it has been 6 weeks since you sent off your application and you haven't heard anything, call the ATF. They are generally friendly folks, if you ever actually get to speak to one. 6 weeks is the general rule.

Once your application is approved, you will receive two packages in the mail. One will be your license. The other will be several books of Federal regulations, state laws, and the list of C&R eligible firearms (as well as some forms in case your firearms are stolen, etc.). These packages are sent from separate locations and may arrive several days or weeks apart.

And that's it! You will now be an official C&R FFL holder. You will need to make lots of copies of your license and sign them with blue ink. ***DO NOT SIGN THE ORIGINAL!!!!***

When you want to purchase a C&R firearm, you need to send a copy to the seller. They must receive an original ink-signed copy of your license. This is why I say to use blue ink: there's no way they can claim it's a photocopy of your signature. And the reason you never sign the original is so that you can make more copies of it and sign those copies.

You'll want to go ahead and mail copies of your license to all the major wholesalers and distributors with whom you might do business in the future. I have listed several companies in the "other retailers" forum, with contact info, mailing addresses, phone/fax numbers, and websites. These companies will put you in their system. So when you want to buy a C&R firearm, all you have to do is pick up the phone, give them your credit card number, and wait for your C&R firearm to arrive. You may also want to send a copy to other major companies who give their "dealer prices" to C&R holders.

Every C&R firearm you buy/sell/trade must be logged in and out of your bound book. You must maintain this bound book at all times, and must keep it for 20 years after the last entry. So make sure it's kept safe and current. The ATF has the right to inspect your records as often as once a year, although an audit of a C&R FFL is fairly rare. You can use one of the books sold by Brownell's or make your own bound book. I use a 3-ring binder with [Microsoft Excel spreadsheet](#) pages I printed out from Will Enterprises website (here is

the [same page in .PDF format](#). Just print out the page, make 20 copies or so, put them in a binder, and start ordering C&R firearms.

Do I need to log non-C&R firearms into my bound book? When buying or selling non-C&R firearms, do not log them in your bound book. In fact, you'll catch it from ATF if you do log non-C&R firearms in your bound book.

But for any C&R firearms, they must be logged. If you owned a C&R rifle prior to receiving your license, you need not log it in unless you sell it. The ATF only cares about purchases and dispositions, not about what's currently in your collection. If you sell a C&R firearm that you owned prior to licensure, you should go ahead and log it in as coming from your personal (pre-licensure) collection, then log it out as you normally would any other C&R firearm.

And, contrary to popular belief, you must record all your C&R transactions, regardless of whether you used your C&R license or not. For example, if you go to a gun show and buy a firearm without using your license, you must still log it in your book. Some people seem to think that if you don't actually use your license to obtain the C&R firearm, then you don't have to log it—they are incorrect!

How do I get a new C&R license if I move? You must submit [ATF Form 5300.38](#), Application for an Amended Federal Firearms License. As a collector you must complete all items on the form except items 4,14,15,16, and 17. All references to "business" should be considered "collecting activity". Mail the form along with the original license to:

National Licensing Center
2600 Century Parkway, Suite 400
Atlanta, GA 30345

Note: you must send in this form no less than 30 days prior to moving. You must also notify the CLEO in your new area. The instructions are on the form. Remember to make a bunch of copies before you send your original license back in case you need one. Once you receive your new license you will need to send a new copy anyone purchase from—until they receive your new license, they can only ship to the address on your old license.

Some people say you should hang onto the original, but the instructions say to send the original license back. People who don't mail the original license back report they still get their new license without any problems. However, since an unsigned "copy" is just as good as the original, you may as well follow the instructions.

Do I have to enter firearms I owned before getting my license? Once you are licensed, all purchases and sales have to be logged. However, there is no requirement to log any firearms you owned prior to licensure, unless you sell them while licensed. When selling these, you should first log them into your book as being "from private collection, owned prior to licensure", and then log them out to the buyer.

What do I put in the various columns of my logbook? As for what to put in each column, here is how it should be done

- *Manufacturer or Importer:* If it's an imported rifle, just put the importer's name there. If it is an American-made rifle, you would put "Marlin" or "Winchester" or whatever. Look for the importer's stamp on the barrel or receiver. For Example, on Yugoslavian SKS Carbines it is typically

on the on either the side or bottom of the barrel. For US-made C&R firearms and those imported before 1968, use the manufacturer. Look for the importer's stamp on the barrel or receiver.

- • *Model:* Self-explanatory. Some examples would be: "Russian Mosin Nagant M44" or "Russian Type 45 SKS" or "Swiss K-31".
- • *Serial Number:* This is self-explanatory. Make sure you put the importer's serial number, if there is one. Many of the Russian weapons have Cyrillic serial numbers. The importer will put a new serial number (which may or may not be similar to the original serial number) on the gun. This is the one that needs to be logged, so that your book matches their book. If the BATF audits them and then decides to audit you based on what they saw in the distributor's book, then you want to make sure those serial numbers match.
- • *Type:* Some people get confused by this: All you need to put here is "rifle", "handgun", or "shotgun".
- • *Caliber:* Also self-explanatory. Some examples would be: "7.62x39" or "7.62x54R" or "7.62x25 Tokarev".
- • *Date:* This is the date that you took possession of the firearm. *Not* the date you ordered it. *Not* the date your credit card was billed. *Not* the date they shipped it.
- • *Name/Address or Name/FFL:* This is where you put the information of the person or company from which you acquired the firearm. If you bought it from a company like Aim or Century, then you need to put the name of the company and their address. I just copy it right off the invoice that came with the rifle. If they put their FFL number on the invoice, put in this space. If you bought the gun from a private individual, you need the same information. Name and address. If they are a licensed collector, then put their FFL number on there also. If you bought it from a dealer, then put his name and FFL number there, as well as the name of the shop.

The same applies for dispositions. If you sell it to someone, you must get their name and address for your bound book. Once you are licensed, you cannot legally sell a C&R firearm to someone without getting their name and address! Furthermore, if they are not licensed, you must put their date of birth (to prove that they are of age to own this firearm), and their driver's license number. If the purchaser is a resident alien, you need their ID number. If they are small and skinny and green with large eyes and just stepped off of a UFO, don't sell them your firearm!

How do I log the "Serial Number" of a C&R firearm if the serial numbers do not all match? Use the serial number on the receiver. The serial number of the firearm is always the one on the receiver—The receiver is the firearm as far as the legalities of transfer go.

Sometimes importers will assign their own serial numbers. For example, a Russian M44 will usually have Cyrillic characters in the original serial number. Importers may assign their own serial number that they can put into their computer using the Roman alphabet. It will usually be an approximation of the Cyrillic serial number, but not always. Whenever you see an importer's serial number on the firearm, you should log it rather than the original.

Can I use a computer program to track my C&R Firearms? Before a Federal Firearms Licensee can use a specific computer program for record keeping in lieu of the required bound book format, it is necessary to get approval from ATF. There is at least one computer program, [NM Gun Collector](#), which can be used for this purpose.